

Customer No. 24498  
Attorney Docket No. PD020050 US  
Office Action Date: January 8, 2008

Remarks/Arguments

Claims 1-5 are pending in this application, and are rejected in the Office Action dated January 8, 2008. No claim amendments are presented in this response. However, a listing of all pending claims is included with this response for the Examiner's convenience.

**Re: Rejection of Claims 1, 4 and 5 under 35 U.S.C. §103(a)**

Claims 1, 4 and 5 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2001/0009535 to Hong et al. (hereinafter "Hong") in view of Japanese Publication No. 09231588 by Masaaki (hereinafter, "Masaaki"). Applicants respectfully traverse this rejection for at least the following reasons.

Independent claims 1 and 5 recite:

"generating a track error signal;  
detecting an occurrence of a fundamental change in a property of the track;

***generating an offset value from a comparison of a value of the track error signal that occurs before the detected fundamental change in property of the track to a value of the track error signal that occurs after the detected fundamental change in property of the track;***

generating the track error signal, taking account of the offset value;  
and

repeating the aforementioned steps." (emphasis added; see claim 1), and

"a track control loop for generating a track error signal;  
a track property change detector for detecting a track property change and generating a signal in response to the detection; and  
an offset value generator, which, in a manner dependent on the signal generated by the track property change detector, ***generates an offset value from a comparison of a value of the track error signal that occurs before the detection of the track property change to a value of the track error signal that occurs after the detection of the track property change*** and feeds said offset value to the track control loop." (emphasis added; see claim 5)

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As indicated above, independent claims 1 and 5 recite a method and apparatus that generates an offset value from a comparison of a value of a track error signal that occurs before the detection of a track property change to a value of the track error signal that occurs after the detection of the track property change.

Neither Hong nor Masaaki, whether taken individually or in combination, teaches or suggests the subject matter of independent claims 1 and 5. On pages 2-3 of the Office Action dated January 8, 2008, the Examiner admits that Hong fails to disclose the bold-typed subject matter of independent claims 1 and 5 quoted above. In an attempt to remedy this deficiency of Hong, the Examiner relies on Masaaki and, more specifically, alleges:

"... Masaaki discloses a method of generating an offset value (Fig. 1, element 33) from the comparison of a value of the track error signal (Fig. 1, element 32) that occurs before the detected fundamental change in property of the track to a value of the track error signal that occurs after the detected fundamental change in property of the track (Paragraph [0032] and [0033])."

Applicants respectfully disagree with the foregoing allegations for at least the following reasons. First, element 33 in Fig. 1 of Masaaki does not disclose an offset value or a method of generating an offset value, as alleged. Rather, element 33 is a "servo controller" (see, for example, paragraph [0031]). Secondly, element 32 in Fig. 1 of Masaaki does not disclose a track error signal or the comparison of a value of the track error signal, as alleged. Rather, element 32 is an "offset switch part" (see, for example, paragraph [0031]).

Moreover, paragraphs [0032] and [0033] of Masaaki do not disclose or suggest the claim limitation "that occurs before the detected fundamental change in property of the track to a value of the track error signal that occurs after the detected fundamental change in property of the track" or any part thereof, as alleged. Rather, paragraph [0032] discloses how the offset switch part 32 is used to feed either, an offset value that has been measured and memorized for "Land" tracks, or an offset value that has been

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measured and memorized for "Groove" tracks, to a comparator 31. The comparator 31 subtracts the selected offset value from the incoming servo error signal (i.e., at its "+" input) and outputs a corrected servo error signal that is fed to the servo controller 33. Paragraph [0033] also discloses that different offset values are measured for the groove part and the land part, and are individually memorized, and also indicates that the optimum offset value is measured using prepits on the disk.

Most prominently, with respect to the "offset measuring method" of Masaaki, paragraph [0035] discloses, in connection with Fig 2, that a very small tracking offset movement is artificially generated, and that the optimum offset is measured by finding the position where the carrier-to-noise (C/N) ratio of a high frequency disk readout signal "RF" is at a maximum level. Nowhere does Masaaki disclose or suggest, *inter alia*, the desirability of sampling, inspecting or using the value of a track error signal that occurs (immediately) before the L/G switchover position. Likewise, nowhere does Masaaki disclose or suggest, *inter alia*, the desirability of sampling, inspecting or using the value of a track error signal that occurs (immediately) after the L/G switchover position. Moreover, nowhere does Masaaki disclose or suggest, *inter alia*, the desirability of deriving an offset value by comparing two different values of a track error signal.

As such, Massaki fails to disclose or suggest, *inter alia*, "generating an offset value from a comparison of a value of the track error signal that occurs before the detected fundamental change in property of the track to a value of the track error signal that occurs after the detected fundamental change in property of the track" as recited by independent claim 1, or "an offset value generator, which, .... generates an offset value from a comparison of a value of the track error signal that occurs before the detection of the track property change to a value of the track error signal that occurs after the detection of the track property change" as recited by independent claim 5. Accordingly, Masaaki fails to remedy the admitted deficiencies of Hong. In view of this clarification, Applicants respectfully request withdrawal of the rejection.

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**Re: Rejection of Claims 2 and 3 under 35 U.S.C. §103(a)**

Claims 2 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hong in view of Masaaki, and further in view of U.S. Patent Publication No. 2002/0039331 by Park (hereinafter, "Park"). Applicants respectfully traverse this rejection since Park is unable to remedy the deficiencies of Hong/Masaaki combination pointed out above in conjunction with claims 1, 4 and 5. Accordingly, withdrawal of the rejection is respectfully requested.

**Conclusion**

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding remarks/arguments, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. Please charge the fee for the one (1) month extension of time to Deposit Account 07-0832.

Respectfully submitted,

  
By: Reitseng Lin  
Reg. No. 42,804  
Phone (609) 734-6813

Patent Operations  
Thomson Licensing LLC  
P.O. Box 5312  
Princeton, New Jersey 08540  
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